



**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Tomoko MIYAHARA et al.

Group Art Unit: 1763

Application No.: 10/768,153

Examiner: J. LUND

Filed: February 2, 2004

Docket No.: 118505

For: CARBON NANOTUBE MANUFACTURING APPARATUS AND METHOD, AND  
GAS DECOMPOSER FOR USE IN THE MANUFACTURING APPARATUS AND  
METHOD

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the August 23, 2007 Election of Species Requirement, Applicants provisionally elect Species I. Applicants submit that claims 1-6, 15-18, and 34-36 read on the elected species and agree with the PTO that claims 1-5, 15-18, and 34-36 are generic. The election is made with traverse.

It is also respectfully submitted that the subject matter of all claims is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in

order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Jonathan H. Backenstose  
Registration No. 47,399

JAO:JHB/cxt

Date: September 24, 2007

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--